Anwar et al v. Fairfield Greenwich Limited et al Doc. 182

UNITED STATES DISTRICT COURT
SOURTHERN DISTRICT OF NEW YORK

ANWAR et al. , Plaintiffs, vs. FAIRFIELD GREENWICH GROUP et al. Defendants.	09 Civ. 0118 (VM)(THK) AFFIDAVIT OF JACK YOSKOWITZ
FAIRFIELD SENTRY LIMITED, Plaintiff, vs. FAIRFIELD GREENWICH GROUP et al. Defendants.	09 Civ. 5650 (VM)(THK)

State of New York)
) ss.
County of New York)

JACK YOSKOWITZ, being duly sworn, deposes and says:

1. I am a member of Seward & Kissel LLP, counsel for Plaintiff Fairfield Sentry Limited ("Sentry"). I am familiar with the facts set forth herein. I submit this affidavit in support of Plaintiff's motion to (1) remand this action to state court under 28 U.S.C. § 1447(c) for lack of subject matter jurisdiction, and (2) vacate the consolidation order, filed on June 25, 2009 under sections 2 and 7 of this Court's Consolidation Order and Order for Appointment, dated January 31, 2009, 09 Civ. 0118, Dkt. No. 40.

2. The Company's Verified Complaint was filed in the New York Supreme Court, County of New York on May 29, 2009, and it was removed by FGA to this Court on June 19, 2009.

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3. By Order dated June 25, 2009 (Dkt. No. 177), this action was consolidated with *Anwar* under the Standing Consolidation Order and the Civil Case Management Plan and Scheduling Order issued by this court on March 11, 2009 (the "CMO")(Dkt. No. 69).

4. Attached hereto as Exhibit A is a true and correct copy of a June 9, 2009 letter from Mark G. Cunha to the Court.

s/Jack Yoskowitz
Jack Yoskowitz

Signed before me this
10th day of July 2009

s/Ira J. Aronson
Notary Public

Ira J. Aronson
Notary Public, State of New York
No. 01AR4732833
Qualified in New York County
Commission Expires September 10, 2010

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